



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155
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DIV. OF OIL, GAS & MINING

DECISION

Mr. Harold Shepherd	:	Decision of Assistant Field Manager
Executive Director	:	Vacated, Case Remanded
The Center for Water Advocacy	:	to Field Office
P.O. Box 331	:	43 CFR 3809.800
Moab, Utah 84532	:	

On October 9, 2007, we received your request for a Stay and State Director Review of the Decision Record and Finding of No Significant Impact for the approval of the Plan of Operations for the Tony M Mine located in Garfield County, Utah. The Decision Record was signed by Gary L. Hall, Assistant Field Manager for the Richfield Field Office, on September 4, 2007.

The State Director has reviewed your request and has found that the Environmental Assessment for the proposed action is deficient in several respects. The decision is hereby remanded to the Field Office so that the Environmental Assessment for the Tony M Mine Plan of Operations can be amended, in coordination with the Utah State Office Environmental Coordinator and a new decision record issued. The Field Office Decision to approve the Tony M Mine Plan is hereby vacated and remanded. Your request for a Stay is therefore moot.

This decision may be appealed to the Interior Board of Land Appeals (IBLA) in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed form 1842-1. If an appeal is taken, your Notice of Appeal must be filed in this office at P.O. Box 45155, Salt Lake City, Utah, 84145-0155, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

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If you have any questions, or require additional information, please feel free to contact Michael Ford of my staff at (801) 539-4040.

Sincerely,

/s/ Selma Sierra

Selma Sierra
State Director

Enclosure
SF 1842-1

Cc: Mr. Harold Roberts
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State Director Final Decision short MF-SA 11-16-07